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GOVERNMENT OF INDIA

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Part II - Section 3

केन्द्र-शासित प्रदेश लद्दाख प्रशासन
ADMINISTRATION OF UNION TERRITORY OF LADAKH

HOME DEPARTMENT, UT of Ladakh

Notification

Leh, the 08th day of December, 2025

S.O_145.—In exercise of the powers conferred under sub-section (11) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023) the Administration of Union Territory of Ladakh hereby notifies the following other powers, functions and duties of the Director of Prosecution, Deputy Director Prosecution and Assistant Director Prosecution: —

1. **POWERS, FUNCTIONS AND DUTIES OF THE DIRECTOR OF PROSECUTION: -**
Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023

(Central Act 46 of 2023), the Director of Prosecution shall have the following other powers, functions and duties, namely: —

Functions of Director of Prosecution

i. The Director of Prosecution shall exercise overall superintendence and direct control over every prosecution instituted on behalf of the Union Territory Administration and over the prosecutorial work of all Public Prosecutors, Additional Public Prosecutors, Special Public Prosecutors, and Assistant Public Prosecutors who conduct prosecutions before every criminal Court within the UT of Ladakh.

ii. The Director of Prosecution shall further ensure that the responsibility of taking decisions regarding the filing of revisions, appeals or any other legal proceedings, and the responsibility of conducting prosecutions before the Courts, are not entrusted to the same officer at any level. This safeguard is essential to protect the interests of justice and to uphold the commitment to fair and impartial trials.

iii. The Director Prosecution shall also scrutinise each proposal for appeal or revision received and shall record a reasoned opinion, and forward recommendations to the Government within limitation periods.

iv. The Director Prosecution shall monitor timely institution and diligent prosecution of all Government appeals, revisions, or other legal proceedings until final disposal.

v. The Director of Prosecution shall ensure adherence to substantive and procedural law during investigation, inquiry, and trial, and rectify any deficiencies that may compromise justice.

vi. The Director of Prosecution shall ensure the presence, appearance, and effective performance of all prosecuting officers before the Courts and issue standing orders or written directions as may be necessary to secure their punctual attendance and to guarantee effective representation of the State in all proceedings.

vii. The Director Prosecution shall organise capacity building and continuing legal education programmes for prosecuting officers and shall also submit periodic recommendations to the Administration of UT Ladakh for the systematic improvement of prosecutorial standards.

viii. The Director Prosecution shall conduct quarterly performance evaluations of all prosecuting officers and submit efficiency reports as prescribed within the stipulated time.

ix. The Director of Prosecution shall ensure the effective functioning and utilization of the e-Prosecution portal and other technology based initiatives across the UT of Ladakh.

x. The Director Prosecution may, upon request or whenever the ends of justice so require, tender formal legal advice to any prosecuting officer in relation to a criminal matter under that officer's charge.

xi. The Director Prosecution may obtain, through the Deputy Director of Prosecution, periodic returns and analytical statements concerning the conduct of prosecutions before the Sessions Courts and Magistrates' Courts, in such form and at such intervals as the Director may prescribe for maintaining prosecutorial quality. xii. The Director Prosecution may, with the prior approval of the UT Government, nominate a subordinate officer to coordinate with the Advocate-General or Additional Advocate-General in relation to any serious criminal case pending before the High Court or the Supreme Court of India.

xii. The Director Prosecution shall be the In-charge of criminal litigation of the UT and may appear in any criminal court for conducting prosecution, appeal or other proceeding in any criminal case or class of cases on behalf of the UT whenever and wherever requires, in offences punishable for ten years or more, or with life imprisonment or death, with prior approval of the State Government.

xiii. The Director Prosecution may, for smooth functioning of prosecution work, make stop-gap or ad hoc arrangements for appearance of Public Prosecutors and Assistant Public Prosecutors for a period not exceeding one year, and for further extension approval of the State Government shall be obtained.

xiv. The Director Prosecution shall issue directions, instructions, guidelines, standard operating procedures etc. in criminal matters and regarding examination and scrutiny of challans/ police reports, with approval of the State Government. **Powers of Director of Prosecution**

xv. The Director of Prosecution shall have the power to requisition any report, return, case file, or other document, as he may deem necessary, from every Public Prosecutor and Additional Public Prosecutor appointed under sub section (1) of section 18, from every Special Public Prosecutor appointed under sub-section (8) and from every Assistant Public Prosecutor appointed under sub section (1) of section 19 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the purpose of evaluating their performance or for preparing or drafting the replies/submissions to be filed in any proceedings before the High Court.

xvi. In terms of sub-section (7) of section 20 of the

xvii. Bharatiya Nagarik Suraksha Sanhita, 2023, Director of Prosecution shall have the power to monitor cases having punishment of ten years or above, life imprisonment or death and, without prejudice thereto, shall also oversee the steady progress and timely disposal of all other criminal cases pending before the Courts within the UT Ladakh.

xviii. Daily electronic work-reports through the designated digital prosecution platform and shall ensure that the platform remains functional and secure.

xix. The Director shall have the power to issue standing orders and administrative directions, consistent with section 20 the Bharatiya Nagarik Suraksha Sanhita, 2023, with the prior approval of the UT Administration wherever applicable, for the efficient and effective functioning of the prosecutorial service.

xx. The Director Prosecution shall, as Head of the Department, exercise every administrative and financial power that the Administration of UT Ladakh, by rule or order, vests in a departmental head, subject to budgetary and procedural regulations in force.

xxi. The Director Prosecution shall exercise such additional powers as the UT administration may from time to time confer by general or special order in accordance with sub-section (11) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

xxii. The Director Prosecution may, by written order and subject to any conditions specified therein, delegate any power to an officer subordinate to the Director; every such delegation shall be revocable and shall not prevent the Director from exercising the power concurrently.

xxiii. The Director of Prosecution shall have the authority to direct the Deputy Director, Assistant Director, Public Prosecutor, Special Public Prosecutor, or Assistant Public Prosecutor to scrutinize challans/police reports, and to perform any other functions that he may deem necessary for the effective administration of justice or for any related purpose.

xxiv. The Director of Prosecution shall have the authority to assign interim or additional charge to the Deputy Director, Assistant Director, Public Prosecutor, Additional Public Prosecutor, Special Public Prosecutor, or Assistant Public Prosecutor within the Union Territory, whenever the circumstances so require.

2. POWERS, FUNCTIONS AND DUTIES OF THE DEPUTY DIRECTOR OF PROSECUTION: -

In addition to the powers, functions and duties, as provided in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023), the Deputy Director of Prosecution shall have the following other powers, functions and duties, namely: —

i. The Deputy Director of Prosecution shall be the Head of the District Directorate of Prosecution and shall be subordinate to the Director of Prosecution.

ii. Deputy Director of Prosecution shall exercise immediate control and supervision over every prosecution instituted on behalf of the Administration of UT Ladakh in respect of cases pertaining to the offence punishable for seven years or more, but less than ten years, for ensuring their expeditious disposal before any criminal Court in the district. He shall also monitor the progress of every such cases.

iii. The Deputy Director of Prosecution shall ensure diligent performance of each Public Prosecutor, Additional Public Prosecutor, Special Public Prosecutor and Assistant Public Prosecutor before the Courts of that district.

iv. The Deputy Director of Prosecution may solicit and record written comments or legal opinions from prosecuting officers and shall process those submissions for appropriate action, including the issuance of directions or reference to the Director of Prosecution.

v. The Deputy Director of Prosecution shall conduct periodic evaluations of the work of all prosecuting officers in the district, prepare efficiency reports in the form prescribed by the Director of Prosecution and transmit those reports within the stipulated time. vi. The Deputy Director of Prosecution shall ensure that every appeal, revision or other proceeding filed by or on behalf of the Government within the district is instituted within the statutory period and is diligently prosecuted until final disposal.

vi. The Deputy Director of Prosecution shall design and implement capacity-building initiatives for prosecuting officers and shall continuously strive to enhance the quality of prosecution work in the district.

vii. The Deputy Director of Prosecution shall discharge such additional duties as the UT administration, or the Director of Prosecution may assign by general or special order.

viii. In accordance with sub-section (8) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Deputy Director of Prosecution shall examine and scrutinise the police reports and monitor the prosecution of offences punishable with imprisonment of seven years or more but less than ten years, ensuring their prompt and lawful disposal.

ix. The Deputy Director of Prosecution shall supervise the conduct of trials handled by Additional Public Prosecutors and Assistant Public Prosecutors within the district and shall provide guidance or intervention whenever prosecutorial efficiency so requires. xi. The Deputy Director of Prosecution shall convene monthly coordination meetings with all prosecuting officers, review caseloads and performance metrics, and submit a consolidated report of the proceedings to the Director of Prosecution.

x. The Deputy Director of Prosecution shall extend all necessary assist which the Director of Prosecution deems necessary in the scrutiny of challans/police reports or otherwise and shall furnish opinions or comments as and when assigned.

xi. The Deputy Directors of Prosecution shall compile and submit monthly reports to the Director of Prosecution, and quarterly report to the Secretary (Home), or Additional Secretary (Home) concerning the disposal of cases in the district.

xii. The Deputy Director Prosecution shall administer the e Prosecution portal at the district level, and shall ensure that prosecuting officers upload opinions, case-status updates and disposal details accurately and within the time-frames prescribed by the Director of Prosecution.

3. POWERS, FUNCTIONS AND DUTIES OF THE ASSISTANT DIRECTOR OF PROSECUTION: -

In addition to the powers, functions and duties, as provided in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023), the Assistant Director of Prosecution shall have the following other powers, functions and duties, namely: —

i. The Assistant Director of Prosecution shall supervise and ensure the proper conduct of every prosecution instituted on behalf of the UT administration before the Magistrates' Courts of the district.

ii. The Assistant Director of Prosecution shall examine police reports and monitor the prosecution of offences punishable with imprisonment for less than seven years and

shall adopt every lawful measure necessary to secure their prompt and orderly disposal.

iii. The Assistant Director of Prosecution shall assist the Director of Prosecution and the Deputy Director of Prosecution in making interim or additional charge arrangements for Assistant Public Prosecutors within the district whenever circumstances so require.

iv. The Assistant Director of Prosecution shall administer the eProsecution portal at the district level, and shall ensure that prosecuting officers upload opinions, case-status updates and disposal details accurately and within the time-frames prescribed by the Director of Prosecution.

v. The Assistant Director Prosecution shall enforce strict compliance by all prosecuting officers with every instruction issued by the Director of Prosecution or the Deputy Director of Prosecution.

vi. The Assistant Director of Prosecution may conduct surprise inspections of the offices of Assistant Public Prosecutors within the district and shall, within forty-eight hours of each inspection, submit a written report to the Director of Prosecution.

vii. The Assistant Director of Prosecution may convene a monthly review meeting of all Assistant Public Prosecutors in the district, record the proceedings in the form prescribed and forward the minutes, together with any recommendations, to the Director of Prosecution within seven days.

viii. The Assistant Director of Prosecution shall attend every quarterly review meeting convened by the Director of Prosecution and every monthly meeting convened by the Deputy Director of Prosecution and shall implement without delay any decisions taken therein.

ix. The Assistant Director of Prosecution shall participate in such other meetings as the Director of Prosecution, or the Deputy Director of Prosecution may call from time to time for the purpose of improving prosecutorial performance.

x. The Assistant Director of Prosecution shall act under the general control of the Director of Prosecution and the immediate supervision of the Deputy Director of Prosecution and shall discharge such further responsibilities as the UT administration, the Director of Prosecution or the Deputy Director of Prosecution may assign by general or special order.

xi. The Assistant Director of Prosecution shall provide the final opinion in cases triable by a Magistrate, where the prescribed punishment is less than seven years.

By order of the Lieutenant Governor, Union territory of Ladakh.

Sd/-
(डॉ पवन कोतवाल, भ प्र से / Dr. Pawan Kotwal, IAS)
मुख्य सचिव/Chief Secretary/
प्रशासनिक सचिव /Administrative Secretary
गृह विभाग /Home Department

ANUPAM BHARDWAJ
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(अनुपम भारद्वाज / Anupam Bhardwaj) JKAS,
अवर सचिव/ Under Secretary

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